

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Statement of Issues Against:

**DEBORAH MAE WOODS**  
**1246 Stratford Court**  
**Del Mar, Ca 92014**

Case No. 2011-935

Applicant for Registered Nurse License

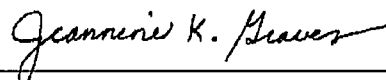
Respondent

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on **September 9, 2011.**

IT IS SO ORDERED **August 11, 2011.**



\_\_\_\_\_  
President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 KAMALA D. HARRIS  
Attorney General of California  
2 LINDA K. SCHNEIDER  
Supervising Deputy Attorney General  
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*Attorneys for Complainant*

8  
9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Statement of Issues  
12 Against:

Case No. 2011-935

13 **DEBORAH MAE WOODS**  
14 **1246 Stratford Court**  
**Del Mar, CA 92014**

**STIPULATED SETTLEMENT AND**  
**DISCIPLINARY ORDER**

15 Respondent.

16  
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
18 entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of  
21 Registered Nursing. She brought this action solely in her official capacity and is represented in  
22 this matter by Kamala D. Harris, Attorney General of the State of California, by Amanda Dodds,  
23 Senior Legal Analyst.

24 2. Respondent Deborah Mae Woods (Respondent) is represented in this proceeding by  
25 attorney Ann C. Schneider, whose address is: 801 S. Figueroa Street, Suite 1200, Los Angeles,  
26 CA 90017.

27 3. On or about October 13, 2010, Respondent filed an application dated October 4,  
28 2010, with the Board of Registered Nursing to obtain a Registered Nurse License.



1 Registered Nursing may communicate directly with the Board regarding this stipulation and  
2 settlement, without notice to or participation by Respondent or her counsel. By signing the  
3 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek  
4 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails  
5 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary  
6 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal  
7 action between the parties, and the Board shall not be disqualified from further action by having  
8 considered this matter.

9 11. The parties understand and agree that facsimile copies of this Stipulated Settlement  
10 and Disciplinary Order, including facsimile signatures thereto, shall have the same force and  
11 effect as the originals.

12 12. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an  
13 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
14 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
15 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary  
16 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a  
17 writing executed by an authorized representative of each of the parties.

18 13. In consideration of the foregoing admissions and stipulations, the parties agree that  
19 the Board may, without further notice or formal proceeding, issue and enter the following  
20 Disciplinary Order:

21 **DISCIPLINARY ORDER**

22 IT IS HEREBY ORDERED that the application of Respondent, Deborah Mae Woods, for  
23 licensure by examination is hereby approved. Upon successful completion of the licensure  
24 examination and all other licensing requirements, a license shall be issued to Respondent. Said  
25 license shall immediately be revoked, the order of revocation stayed and Respondent placed on  
26 probation for a period of two (2) years on the following conditions:

27 **Severability Clause.** Each condition of probation contained herein is a separate and  
28 distinct condition. If any condition of this Order, or any application thereof, is declared

1 unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other  
2 applications thereof, shall not be affected. Each condition of this Order shall separately be valid  
3 and enforceable to the fullest extent permitted by law.

4           1.     **Obey All Laws.** Respondent shall obey all federal, state and local laws. A  
5 full and detailed account of any and all violations of law shall be reported by Respondent to the  
6 Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of  
7 compliance with this condition, Respondent shall submit completed fingerprint forms and  
8 fingerprint fees within 45 days of the effective date of the decision, unless previously submitted  
9 as part of the licensure application process.

10       **Criminal Court Orders:** If Respondent is under criminal court orders, including  
11 probation or parole, and the order is violated, this shall be deemed a violation of these probation  
12 conditions, and may result in the filing of an accusation and/or petition to revoke probation.

13           2.     **Comply with the Board's Probation Program.** Respondent shall fully  
14 comply with the conditions of the Probation Program established by the Board and cooperate with  
15 representatives of the Board in its monitoring and investigation of the Respondent's compliance  
16 with the Board's Probation Program. Respondent shall inform the Board in writing within no  
17 more than 15 days of any address change and shall at all times maintain an active, current license  
18 status with the Board, including during any period of suspension.

19       Upon successful completion of probation, Respondent's license shall be fully restored.

20           3.     **Report in Person.** Respondent, during the period of probation, shall  
21 appear in person at interviews/meetings as directed by the Board or its designated representatives.

22           4.     **Residency, Practice, or Licensure Outside of State.** Periods of residency  
23 or practice as a registered nurse outside of California shall not apply toward a reduction of this  
24 probation time period. Respondent's probation is tolled, if and when she resides outside of  
25 California. Respondent must provide written notice to the Board within 15 days of any change of  
26 residency or practice outside the state, and within 30 days prior to re-establishing residency or  
27 returning to practice in this state.

28     ///

1 Respondent shall provide a list of all states and territories where she has ever been licensed  
2 as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide  
3 information regarding the status of each license and any changes in such license status during the  
4 term of probation. Respondent shall inform the Board if she applies for or obtains a new nursing  
5 license during the term of probation.

6 5. **Submit Written Reports.** Respondent, during the period of probation,  
7 shall submit or cause to be submitted such written reports/declarations and verification of actions  
8 under penalty of perjury, as required by the Board. These reports/declarations shall contain  
9 statements relative to Respondent's compliance with all the conditions of the Board's Probation  
10 Program. Respondent shall immediately execute all release of information forms as may be  
11 required by the Board or its representatives.

12 Respondent shall provide a copy of this Decision to the nursing regulatory agency in every  
13 state and territory in which she has a registered nurse license.

14 6. **Function as a Registered Nurse.** Respondent, during the period of  
15 probation, shall engage in the practice of registered nursing in California for a minimum of 24  
16 hours per week for 6 consecutive months or as determined by the Board.

17 For purposes of compliance with the section, "engage in the practice of registered nursing"  
18 may include, when approved by the Board, volunteer work as a registered nurse, or work in any  
19 non-direct patient care position that requires licensure as a registered nurse.

20 The Board may require that advanced practice nurses engage in advanced practice nursing  
21 for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

22 If Respondent has not complied with this condition during the probationary term, and  
23 Respondent has presented sufficient documentation of her good faith efforts to comply with this  
24 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an  
25 extension of Respondent's probation period up to one year without further hearing in order to  
26 comply with this condition. During the one year extension, all original conditions of probation  
27 shall apply.

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1                   7.     **Employment Approval and Reporting Requirements.** Respondent shall  
2 obtain prior approval from the Board before commencing or continuing any employment, paid or  
3 voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all  
4 performance evaluations and other employment related reports as a registered nurse upon request  
5 of the Board.

6             Respondent shall provide a copy of this Decision to her employer and immediate  
7 supervisors prior to commencement of any nursing or other health care related employment.

8             In addition to the above, Respondent shall notify the Board in writing within seventy-two  
9 (72) hours after she obtains any nursing or other health care related employment. Respondent  
10 shall notify the Board in writing within seventy-two (72) hours after she is terminated or  
11 separated, regardless of cause, from any nursing, or other health care related employment with a  
12 full explanation of the circumstances surrounding the termination or separation.

13                   8.     **Supervision.** Respondent shall obtain prior approval from the Board  
14 regarding Respondent's level of supervision and/or collaboration before commencing or  
15 continuing any employment as a registered nurse, or education and training that includes patient  
16 care.

17             Respondent shall practice only under the direct supervision of a registered nurse in good  
18 standing (no current discipline) with the Board of Registered Nursing, unless alternative methods  
19 of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are  
20 approved.

21             Respondent's level of supervision and/or collaboration may include, but is not limited to  
22 the following:

23                   (a)    Maximum - The individual providing supervision and/or collaboration is  
24 present in the patient care area or in any other work setting at all times.

25                   (b)    Moderate - The individual providing supervision and/or collaboration is in  
26 the patient care unit or in any other work setting at least half the hours Respondent works.

27                   (c)    Minimum - The individual providing supervision and/or collaboration has  
28 person-to-person communication with Respondent at least twice during each shift worked.

1 (d) Home Health Care - If Respondent is approved to work in the home health  
2 care setting, the individual providing supervision and/or collaboration shall have person-to-person  
3 communication with Respondent as required by the Board each work day. Respondent shall  
4 maintain telephone or other telecommunication contact with the individual providing supervision  
5 and/or collaboration as required by the Board during each work day. The individual providing  
6 supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to  
7 patients' homes visited by Respondent with or without Respondent present.

8 9. **Employment Limitations.** Respondent shall not work for a nurse's  
9 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a  
10 traveling nurse, or for an in-house nursing pool.

11 Respondent shall not work for a licensed home health agency as a visiting nurse unless the  
12 registered nursing supervision and other protections for home visits have been approved by the  
13 Board. Respondent shall not work in any other registered nursing occupation where home visits  
14 are required.

15 Respondent shall not work in any health care setting as a supervisor of registered nurses.  
16 The Board may additionally restrict Respondent from supervising licensed vocational nurses  
17 and/or unlicensed assistive personnel on a case-by-case basis.

18 Respondent shall not work as a faculty member in an approved school of nursing or as an  
19 instructor in a Board approved continuing education program.

20 Respondent shall work only on a regularly assigned, identified and predetermined  
21 worksite(s) and shall not work in a float capacity.

22 If Respondent is working or intends to work in excess of 40 hours per week, the Board may  
23 request documentation to determine whether there should be restrictions on the hours of work.

24 10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall  
25 enroll and successfully complete a course(s) relevant to the practice of registered nursing no later  
26 than six months prior to the end of her probationary term.

27 Respondent shall obtain prior approval from the Board before enrolling in the course(s).  
28 Respondent shall submit to the Board the original transcripts or certificates of completion for the



1 above required course(s). The Board shall return the original documents to Respondent after  
2 photocopying them for its records. Prior courses taken by Respondent may be considered by the  
3 Board to satisfy this requirement. Any such determination will be made at the Board's discretion.

4           **11. Violation of Probation.** If Respondent violates the conditions of her  
5 probation, the Board after giving Respondent notice and an opportunity to be heard, may set aside  
6 the stay order and impose the stayed discipline (revocation/suspension) of Respondent's license.

7           If during the period of probation, an accusation or petition to revoke probation has been  
8 filed against Respondent's license or the Attorney General's Office has been requested to prepare  
9 an accusation or petition to revoke probation against Respondent's license, the probationary  
10 period shall automatically be extended and shall not expire until the accusation or petition has  
11 been acted upon by the Board.

12           **12. License Surrender.** During Respondent's term of probation, if she ceases  
13 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of  
14 probation, Respondent may surrender her license to the Board. The Board reserves the right to  
15 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to  
16 take any other action deemed appropriate and reasonable under the circumstances, without further  
17 hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent will no  
18 longer be subject to the conditions of probation.

19           Surrender of Respondent's license shall be considered a disciplinary action and shall  
20 become a part of Respondent's license history with the Board. A registered nurse whose license  
21 has been surrendered may petition the Board for reinstatement no sooner than the following  
22 minimum periods from the effective date of the disciplinary decision:

23           (1) Two years for reinstatement of a license that was surrendered for any reason other  
24 than a mental or physical illness; or

25           (2) One year for a license surrendered for a mental or physical illness.

26           **13. Physical Examination.** Within 45 days of the effective date of this  
27 Decision, Respondent, at her expense, shall have a licensed physician, nurse practitioner, or  
28 physician assistant, who is approved by the Board before the assessment is performed, submit an

1 assessment of the Respondent's physical condition and capability to perform the duties of a  
2 registered nurse, including a determination as set forth below in Condition 15, "Rule-Out  
3 Substance Abuse Assessment." Such an assessment shall be submitted in a format acceptable to  
4 the Board. If medically determined, a recommended treatment program will be instituted and  
5 followed by the Respondent with the physician, nurse practitioner, or physician assistant  
6 providing written reports to the Board on forms provided by the Board.

7 If Respondent is determined to be unable to practice safely as a registered nurse, the  
8 licensed physician, nurse practitioner, or physician assistant making this determination shall  
9 immediately notify the Board and Respondent by telephone, and the Board shall request that the  
10 Attorney General's office prepare an accusation or petition to revoke probation. Respondent shall  
11 immediately cease practice and shall not resume practice until notified by the Board. During this  
12 period of suspension, Respondent shall not engage in any practice for which a license issued by  
13 the Board is required until the Board has notified Respondent that a medical determination  
14 permits Respondent to resume practice. This period of suspension will not apply to the reduction  
15 of this probationary time period.

16 If Respondent fails to have the above assessment submitted to the Board within the 45-day  
17 requirement, Respondent shall immediately cease practice and shall not resume practice until  
18 notified by the Board. This period of suspension will not apply to the reduction of this  
19 probationary time period. The Board may waive or postpone this suspension only if significant,  
20 documented evidence of mitigation is provided. Such evidence must establish good faith efforts  
21 by Respondent to obtain the assessment, and a specific date for compliance must be provided.  
22 Only one such waiver or extension may be permitted.

23 14. **Mental Health Examination.** Respondent shall, within 45 days of the  
24 effective date of this Decision, have a mental health examination including psychological testing  
25 as appropriate to determine her capability to perform the duties of a registered nurse, including a  
26 determination as set forth below in Condition 15, "Rule-Out Substance Abuse Assessment."  
27 The examination will be performed by a psychiatrist, psychologist or other licensed mental health  
28 practitioner approved by the Board. The examining mental health practitioner will submit a

1 written report of that assessment and recommendations to the Board. All costs are the  
2 responsibility of Respondent. Recommendations for treatment, therapy or counseling made as a  
3 result of the mental health examination will be instituted and followed by Respondent.

4 If Respondent is determined to be unable to practice safely as a registered nurse, the  
5 licensed mental health care practitioner making this determination shall immediately notify the  
6 Board and Respondent by telephone, and the Board shall request that the Attorney General's  
7 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease  
8 practice and may not resume practice until notified by the Board. During this period of  
9 suspension, Respondent shall not engage in any practice for which a license issued by the Board  
10 is required, until the Board has notified Respondent that a mental health determination permits  
11 Respondent to resume practice. This period of suspension will not apply to the reduction of this  
12 probationary time period.

13 If Respondent fails to have the above assessment submitted to the Board within the 45-day  
14 requirement, Respondent shall immediately cease practice and shall not resume practice until  
15 notified by the Board. This period of suspension will not apply to the reduction of this  
16 probationary time period. The Board may waive or postpone this suspension only if significant,  
17 documented evidence of mitigation is provided. Such evidence must establish good faith efforts  
18 by Respondent to obtain the assessment, and a specific date for compliance must be provided.  
19 Only one such waiver or extension may be permitted.

20 15. **Rule-Out Substance Abuse Assessment.** If the examiner conducting the  
21 physical and/or mental health examination determines that Respondent is dependent upon drugs  
22 or alcohol, or has had problems with drugs or alcohol (i.e. drug dependence in remission or  
23 alcohol dependence in remission), that might reasonably affect the safe practice of nursing, then  
24 Respondent must further comply with the following additional terms and conditions of probation.

25 (A) **Participate in Treatment/Rehabilitation Program for Chemical Dependence.**  
26 Respondent, at her expense, shall successfully complete during the probationary period or shall  
27 have successfully completed prior to commencement of probation a Board-approved  
28 treatment/rehabilitation program of at least six months duration. As required, reports shall be

1 submitted by the program on forms provided by the Board. If respondent has not completed a  
2 Board-approved treatment/rehabilitation program prior to commencement of probation,  
3 respondent, within 45 days from the effective date of the decision, shall be enrolled in a program.  
4 If a program is not successfully completed within the first nine months of probation, the Board  
5 shall consider respondent in violation of probation.

6 Based on Board recommendation, each week respondent shall be required to attend at  
7 least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics  
8 Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed by  
9 the Board. If a nurse support group is not available, an additional 12-step meeting or equivalent  
10 shall be added. Respondent shall submit dated and signed documentation confirming such  
11 attendance to the Board during the entire period of probation. Respondent shall continue with the  
12 recovery plan recommended by the treatment/rehabilitation program or a licensed mental health  
13 examiner and/or other ongoing recovery groups.

14 **(B) Abstain From Use of Psychotropic (Mood-Altering) Drugs.** Respondent shall  
15 completely abstain from the possession, injection or consumption by any route of all psychotropic  
16 (mood altering) drugs, including alcohol, except when the same are ordered by a health care  
17 professional legally authorized to do so as part of documented medical treatment. Respondent  
18 shall have sent to the Board, in writing and within fourteen (14) days, by the prescribing health  
19 professional, a report identifying the medication, dosage, the date the medication was prescribed,  
20 the respondent's prognosis, the date the medication will no longer be required, and the effect on  
21 the recovery plan, if appropriate.

22 Respondent shall identify for the Board a single physician, nurse practitioner or  
23 physician assistant who shall be aware of Respondent's history of substance abuse and will  
24 coordinate and monitor any prescriptions for respondent for dangerous drugs, controlled  
25 substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician  
26 assistant shall report to the Board on a quarterly basis respondent's compliance with this  
27 condition. If any substances considered addictive have been prescribed, the report shall identify a  
28 program for the time limited use of any such substances.

1           The Board may require the single coordinating physician, nurse practitioner, or  
2 physician assistant to be a specialist in addictive medicine, or to consult with a specialist in  
3 addictive medicine.

4           **(C) Submit to Tests and Samples.** Respondent, at her expense, shall participate in a  
5 random, biological fluid testing or a drug screening program which the Board approves. The  
6 length of time and frequency will be subject to approval by the Board. The respondent is  
7 responsible for keeping the Board informed of respondent's current telephone number at all  
8 times. Respondent shall also ensure that messages may be left at the telephone number when she  
9 is not available and ensure that reports are submitted directly by the testing agency to the Board,  
10 as directed. Any confirmed positive finding shall be reported immediately to the Board by the  
11 program and the respondent shall be considered in violation of probation.

12           In addition, respondent, at any time during the period of probation, shall fully  
13 cooperate with the Board or any of its representatives, and shall, when requested, submit to such  
14 tests and samples as the Board or its representatives may require for the detection of alcohol,  
15 narcotics, hypnotics, dangerous drugs, or other controlled substances.

16           If respondent has a positive drug screen for any substance not legally authorized and  
17 not reported to the coordinating physician, nurse practitioner, or physician assistant, and the  
18 Board files a petition to revoke probation or an accusation, the Board may suspend respondent  
19 from practice pending the final decision on the petition to revoke probation or the accusation.  
20 This period of suspension will not apply to the reduction of this probationary time period.

21           If respondent fails to participate in a random, biological fluid testing or drug  
22 screening program within the specified time frame, the respondent shall immediately cease  
23 practice and shall not resume practice until notified by the Board. After taking into account  
24 documented evidence of mitigation, if the Board files a petition to revoke probation or an  
25 accusation, the Board may suspend respondent from practice pending the final decision on the  
26 petition to revoke probation or the accusation. This period of suspension will not apply to the  
27 reduction of this probationary time period.

28    ///

1 (D) **Therapy or Counseling Program.** Respondent, at her expense, shall  
2 participate in an on-going counseling program until such time as the Board releases him/her from  
3 this requirement and only upon the recommendation of the counselor. Written progress reports  
4 from the counselor will be required at various intervals.

5 **ACCEPTANCE**

6 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
7 discussed it with my attorney, Ann C. Schneider. I understand the stipulation and the effect it  
8 will have on my Registered Nurse License. I enter into this Stipulated Settlement and  
9 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the  
10 Decision and Order of the Board of Registered Nursing.

11 DATED: June 15, 2011 Deborah mae Woods  
12 DEBORAH MAE WOODS  
13 Respondent

14 I have read and fully discussed with Respondent Deborah Mae Woods the terms and  
15 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.  
16 I approve its form and content.

17 DATED: June 16, 2011 ANN C. SCHNEIDER  
18 Attorney for Respondent

19 **ENDORSEMENT**

20 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully  
21 submitted for consideration by the Board of Registered Nursing, of the Department of Consumer

22 Affairs.  
23 Dated: 6/21/2011

Respectfully submitted,

24 KAMALA D. HARRIS  
25 Attorney General of California  
26 LINDA K. SCHNEIDER  
27 Supervising Deputy Attorney General  
28 Amanda Dodds  
AMANDA DODDS  
Senior Legal Analyst  
Attorneys for Complainant

SD2011800179

**Exhibit A**

**Statement of Issues No. 2011-935**

UNITED STATES OF AMERICA

1 KAMALA D. HARRIS  
Attorney General of California  
2 LINDA K. SCHNEIDER  
Supervising Deputy Attorney General  
3 State Bar No. 101336  
AMANDA DODDS  
4 Senior Legal Analyst  
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6 San Diego, CA 92186-5266  
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7 Facsimile: (619) 645-2061  
*Attorneys for Complainant*

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10 **STATE OF CALIFORNIA**

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12 Against:

Case No. 2011-935

13 **DEBORAH MAE WOODS**  
14 **1246 Stratford Court**  
**Del Mar, CA 92014**

**STATEMENT OF ISSUES**

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Statement of Issues solely in  
20 her official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
21 Consumer Affairs.

22 2. On or about October 13, 2009, the Board of Registered Nursing, Department of  
23 Consumer Affairs received an application for a Registered Nurse License from Deborah Mae  
24 Woods (Respondent). On or about October 4, 2010, Deborah Mae Woods certified under penalty  
25 of perjury to the truthfulness of all statements, answers, and representations in the application.  
26 The Board denied the application on January 21, 2011.

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## JURISDICTION

3. This Statement of Issues is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 2736 of the Code provides, in pertinent part, that the Board may deny a license when it finds that the applicant has committed any acts constituting grounds for denial of licensure under section 480 of that Code.

## STATUTORY PROVISIONS

5. Section 475 of the Code states:

(a) Notwithstanding any other provisions of this code, the provisions of this division shall govern the denial of licenses on the grounds of:

(1) Knowingly making a false statement of material fact, or knowingly omitting to state a material fact, in an application for a license.

(2) Conviction of a crime.

(3) Commission of any act involving dishonesty, fraud or deceit with the intent to substantially benefit himself or another, or substantially injure another.

(4) Commission of any act which, if done by a licentiate of the business or profession in question, would be grounds for suspension or revocation of license. . . .

6. Section 480 of the Code states:

(a) A board may deny a license regulated by this code on the grounds that the applicant has one of the following:

(1) Been convicted of a crime. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code.

(2) Done any act involving dishonesty, fraud, or deceit with the intent to substantially benefit himself or herself or another, or substantially injure another.

(3) (A) Done any act that if done by a licentiate of the business or profession in question, would be grounds for suspension or revocation of license.

(B) The board may deny a license pursuant to this subdivision only if the crime or act is substantially related to the qualifications, functions, or duties of the business or profession for which application is made. . . .

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1 (a) Assaultive or abusive conduct including, but not limited to, those violations  
2 listed in subdivision (d) of Penal Code Section 11160.

3 (b) Failure to comply with any mandatory reporting requirements.

4 (c) Theft, dishonesty, fraud, or deceit.

5 (d) Any conviction or act subject to an order of registration pursuant to Section  
6 290 of the Penal Code.

7 11. California Code of Regulations, title 16, section 1445 states:

8 (a) When considering the denial of a license under Section 480 of the code, the  
9 board, in evaluating the rehabilitation of the applicant and his/her present eligibility  
10 for a license will consider the following criteria:

11 (1) The nature and severity of the act(s) or crime(s) under consideration as  
12 grounds for denial.

13 (2) Evidence of any act(s) committed subsequent to the act(s) or crime(s)  
14 under consideration as grounds for denial which also could be considered as grounds  
15 for denial under Section 480 of the code.

16 (3) The time that has elapsed since commission of the act(s) or crime(s)  
17 referred to in subdivision (1) or (2).

18 (4) The extent to which the applicant has complied with any terms of parole,  
19 probation, restitution, or any other sanctions lawfully imposed against the applicant.

20 (5) Evidence, if any, of rehabilitation submitted by the applicant. . . .

## 21 DRUGS

22 12. Methamphetamine is a Schedule II controlled substance as designated by Health  
23 and Safety Code section 11055, subdivision (d)(2), and is a dangerous drug pursuant to Business  
24 and Professions Code section 4022.

25 13. Heroin is a Schedule I controlled substance as designated by Health and Safety  
26 Code section 11054, subdivision (c)(11), and is a dangerous drug pursuant to Business and  
27 Professions Code section 4022.

28 14. Marijuana is a Schedule I controlled substance as designated by Health and Safety  
Code section 11054, subdivision (d)(13), and is a dangerous drug pursuant to Business &  
Professions Code section 4022.

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1 **FACTUAL ALLEGATIONS**

2 **Los Angeles County Municipal Court, Case Number 9JM01045**

3 15. On or about the evening of January 15, 1999, Respondent was stopped for a  
4 vehicle violation by patrol officers of the West Covina Police Department. During the course of  
5 their investigation, they discovered four syringes hidden near the dashboard, a small amount of  
6 marijuana, and a half-full bottle of rum, all of which Respondent claimed was hers. Respondent  
7 did not have any valid identification, so she was arrested and taken to the police department.  
8 During a physical search of Respondent, a female officer found two small baggies containing  
9 what subsequently tested positive for methamphetamine and heroin. During booking, Respondent  
10 admitted she had been using methamphetamine, that she had a problem, and that she had recently  
11 purchased methamphetamine while at a casino. Respondent exhibited the objective symptoms of  
12 methamphetamine use: fixed and constricted pupils, elevated heart rate, and fresh punctures in her  
13 arms indicating intravenous drug use.

14 16. As a result of the arrest, on or about March 17, 1999, in a criminal proceeding  
15 entitled *People of the State of California v. Deborah Mae Woods*, in Los Angeles County  
16 Municipal Court, case number 9JM01045, Respondent pled guilty to violating Health and Safety  
17 Code section 11377, subdivision (a), possession of a controlled substance; section 11550,  
18 subdivision (a), under the influence of a controlled substance; and 11364, possession of controlled  
19 substance paraphernalia, misdemeanors. The court granted deferred entry of judgment, pursuant  
20 to Penal Code section 1000, for a period of 18 months. Respondent was ordered to enroll in and  
21 complete a drug treatment program, pay fines and fees, and comply with the terms of probation.  
22 Following multiple hearings revoking and reinstating Respondent's deferred entry of judgment  
23 for violations, on or about July 28, 2004, the court set aside Respondent's pleas of guilty and the  
24 matter was dismissed under Penal Code section 1000.3.

25 **Riverside County Superior Court Case No. PEM019042**

26 17. In or about the early morning hours of June 6, 1999, a casino patrol officer  
27 observed a small zip-lock baggie containing what subsequently tested positive for  
28 methamphetamine, sitting in full view on the passenger seat of Respondent's vehicle. The

1 Riverside County Sheriff's Department dispatched a deputy who retrieved Respondent from  
2 within the casino. Respondent was arrested for possession of methamphetamine and was released  
3 with a promise to appear at an arraignment hearing.

4 18. Following multiple failures to appear and warrants issued for her arrest, on or  
5 about April 10, 2003, in a criminal proceeding entitled *People of the State of California v.*  
6 *Deborah Mae Woods*, in Riverside County Superior Court, case number PEM019042,  
7 Respondent pled guilty to violating Health and Safety Code section 11377, subdivision (a),  
8 possession of a controlled substance; section 11364, possession of controlled substance  
9 paraphernalia; and two counts of violating Penal Code section 853.7, violation of promise to  
10 appear, misdemeanors. On or about July 28, 2004, the court set aside Respondent's plea of guilty  
11 and the matter was dismissed pursuant to Penal Code section 1210.1, subdivision (d).

12 **San Diego County Superior Court Case No. CN139042**

13 19. On or about December 21, 2001, in San Diego County, Respondent was arrested  
14 for possessing methamphetamine, marijuana, and a hypodermic syringe.

15 20. As a result of the arrest, on or about April 17, 2002, in the matter of *People of the*  
16 *State of California v. Deborah Mae Woods*, in San Diego County Superior Court, case number  
17 CN139042, Respondent pled guilty to violating Health and Safety Code section 11377,  
18 subdivision (a), possession of a controlled substance, to wit, methamphetamine, a felony; section  
19 11357, subdivision (b), possession of less than one ounce of marijuana; and Business and  
20 Professions Code section 4140, illegal possession of a hypodermic syringe, misdemeanors. The  
21 court granted a deferred entry of judgment, pursuant to Penal Code section 1000, for a period of  
22 18 months. Respondent was ordered to enroll in and complete a drug treatment program, pay  
23 fines and fees in the amount of \$1,070, and comply with the terms of the program. On or about  
24 November 21, 2003, the court set aside Respondent's plea of guilty and the matter was dismissed  
25 pursuant to Penal Code section 1210, subdivision (d)(1).

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1 **FIRST CAUSE FOR DENIAL OF APPLICATION**

2 **(Acts That if Done by an R.N. Would be Grounds for Suspension or Revocation of License)**

3 21. Respondent's application is subject to denial under section 480, subdivision (a)(3)  
4 of the Code in that she committed acts that if done by a registered nurse, would be grounds for  
5 suspension or revocation of the license as follows:

6 a. On or about January 15, 1999, as detailed in paragraph 15, above, Respondent  
7 possessed methamphetamine, heroin, and syringes used for injecting controlled substances in  
8 violation of section 2762, subdivision (a) of the Code.

9 b. On or about January 15, 1999, as detailed in paragraph 15, above, Respondent  
10 administered to herself and was under the influence of methamphetamine in violation of section  
11 2762, subdivision (b) of the Code.

12 c. On or about June 16, 1999, as detailed in paragraphs 17 and 18, above,  
13 Respondent possessed methamphetamine and controlled substance paraphernalia, in violation of  
14 section 2762, subdivision (a) of the Code.

15 d. On or about December 21, 2001, as detailed in paragraph 19, above, Respondent  
16 possessed methamphetamine, marijuana, and a hypodermic syringe in violation of section 2762,  
17 subdivision (a) of the Code.

18 e. On or about December 5, 2002, as more fully detailed in paragraph 23, below,  
19 Respondent was convicted of violating Penal Code sections 485, theft/appropriation of lost  
20 property; and section 488, petty theft, misdemeanors, crimes substantially related to the  
21 qualifications, functions, and duties of a registered nurse in violation of section 2761, subdivision  
22 (f) of the Code.

23 **SECOND CAUSE FOR DENIAL OF APPLICATION**

24 **(Dishonesty & Deceit)**

25 22. Respondent's application is subject to denial under section 480, subdivision (a)(2)  
26 of the Code in that she committed acts of dishonesty and deceit as follows:

27 a. On April 17, 2002, as detailed in paragraph 18, above, Respondent pled  
28 guilty to violating Penal Code section 853.7, violations of a promise to appear in court.

1           b.     On or about December 5, 2002, as detailed in paragraph 23, below,  
2 Respondent was convicted of violating Penal Code sections 485, theft/appropriation of lost  
3 property; and section 488, petty theft, misdemeanors.

4                   **THIRD CAUSE FOR DENIAL OF APPLICATION**

5                   **(December 5, 2002 Criminal Conviction for Theft on November 20, 2002)**

6           23.     Respondent's application is subject to denial under sections 480, subdivision (a)(1)  
7 of the Code in that she was convicted of a crime that is substantially related to the qualifications,  
8 duties, and functions of a registered nurse. The circumstances are as follows:

9                   a.     On or about December 5, 2002, in a criminal proceeding entitled *People of*  
10 *the State of California v. Deborah Mae Woods*, in San Diego County Superior Court, case  
11 number CN154143, Respondent was convicted of violating Penal Code sections 485,  
12 theft/appropriation of lost property; and section 488, petty theft, misdemeanors.

13                   b.     As a result of the conviction, on or about December 5, 2002, Respondent  
14 was sentenced to three years summary probation, and ordered to serve 24 days in jail, with credit  
15 for 24 days, and pay a \$100 fine. On or about September 2, 2008, the court granted Respondent's  
16 petition for relief. The conviction was set aside and the charges were dismissed under Penal Code  
17 section 1203.4.

18                   c.     The facts that led to the conviction were that on or about November 20,  
19 2002, Respondent found a credit card in a casino parking lot. Several weeks later, incident to her  
20 contact with a law enforcement officer, her possessions were searched and the credit card was  
21 found.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Denying the application of Deborah Mae Woods for a Registered Nurse License;
2. Taking such other and further action as deemed necessary and proper.

DATED: 5-23-11

*Louise R. Bailey*  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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